

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-13, 15, and 17-33 are presently pending. Claims amended herein are 1, 7, 18, and 29. Claims withdrawn or cancelled herein are 14-16, 30, and 34-35. New claims added herein are none.

Formal Request for an Interview

[0004] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0005] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Substantive Matters

Claim Rejections under § 112

[0006] Claims 1-13, 15 and 17 have been rejected under 35 U.S.C. § 112, 2nd ¶. In light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

Claim Rejections under §103

[0007] In light of the amendments presented, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0008] Claims 1, 2, 7, 15 and 17-19 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,136,191 to Kaltenbach et al.

[0009] Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of U.S. Patent Publication No. 2003/0215157 to Chao et al.

[0010] Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of U.S. Publication No. 2005/0281446 to Glukhovskiy et al.

[0011] Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of Glukhovsky in further view of U.S. Patent No. 5,920,842 to Cooper et al.

[0012] Claims 6, 11-13, 22, and 26-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of U.S. Patent Publication No. 2004/0125413 to Cordery.

[0013] Claim 29 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of U.S. Publication 2004/0174433 to Uchino.

[0014] Claims 30 and 34-35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of Uchino and in further view of U.S. Patent No. 4,853,778 to Tanaka.

[0015] Claim 31 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of in view of Uchino and Tanaka and in further view of U.S. Patent No. 6,636,635 to Matsugu.

[0016] Claim 32 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of Uchino and Tanaka in further view of Glukhovsky.

[0017] Claim 33 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaltenbach in view of Uchino and Tanaka in further view of Chao.

[0018] Applicant respectfully traverses these rejections, but in an attempt to advance prosecution, has amended the independent claims in the following manner.

Independent Claim 1

[0019] Independent claim 1 has been amended recite elements originally claimed in independent claim 29 and dependent claim 30. Claim 1 has been amend to recite in pertinent part that the method includes:

compare properties of an original digital image, the original digital image being defined by a matrix having dimensions $(m \times n)$ to properties of a scanned image of the original digital image, the scanned image of the original digital image being defined as a matrix having dimensions $(k \times l)$, to produce a correlation value, wherein during the comparison of the original digital image and the scanned image of the of the original digital image the scanned image is scaled to match dimensions with the original digital image by;

dividing the scanned image of the original digital image into $(m \times n)$ blocks, each block having dimensions $(k \cdot P/m)$ in the x dimension and $(l \cdot P/n)$ in the y dimension, wherein P is a resolution of dots per inch by which the second image was scanned at;

summing and averaging pixel value parameters associated with each pixel in each block respectively; and

[0020] In rejecting previously presented independent claim 1, the Examiner relied upon the combination of Kaltenbach, Uchino, and Tanaka. As such, Applicant will address the following arguments towards this combination of art as dependent claim 30 has been amended into independent claim 1.

[0021] The Examiner admits that the combination of Kaltenbach and Uchino fails to teach dividing an image file into a plurality of blocks. Instead, the Examiner relies upon Tanaka as teaching dividing an image file into a plurality of blocks. What Tanaka fails to teach is the presently claimed specific manner in which the image is divided into blocks.

[0022] Specifically, Tanaka fails to teach that the scanned image is broken down into a set number of blocks that match the dimensions of the original digital image. Additionally, Tanaka fails to teach that the dimensions of each block each is $(k \cdot P/m)$ in the x dimension and $(l \cdot P/n)$ in the y dimension, where k and l are the dimensions of the scanned image and P is the resolution of dots per inch by which the second image was scanned.

[0023] Because independent claim 1 has been amended to include a scaling process not disclosed by the cited references, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1.

Dependent Claims 2-23 and 17

[0024] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claims 18 and 29

[0025] Independent claims 18 and 29 have both been amended in a manner similar to independent claim 1. Specifically, each independent claim has been amended to clarify that the scanner image is scaled to match the dimensions of the original digital image. Each claim includes the additional elements that the scanned image is divided into a plurality of blocks and that the blocks have dimensions $(k \cdot P/m)$ in the x dimension and $(l \cdot P/n)$ in the y dimension. These elements are not taught by the cited art. As such, Applicant respectfully request the withdrawal of the rejections of independent claims 18 and 29.

Dependent Claims 19-28 and 31-33

[0026] These claims ultimately depend upon independent claims 18 and 29 respectively. As discussed above, these independent claims are allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Conclusion

[0027] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 2008-03-05

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